

Request For Compassionate Release  
Under The First Step Act, The CARES Act,  
And BOP Program Statement 5050.47

Inmate Malcolm C. Donley, and herein makes this request to the warden of FCI Pekin in accordance with the above "Acts". These Acts state that a Warden can grant an inmate compassionate release for "compelling circumstances," including, but not limited to the current Covid 19 emergency. And, if after 30 days, the inmate receives no response from the Warden, the inmate may then proceed to the federal district court where he was sentenced, and seek a sentence reduction / compassionate release, via 18 USC § 3582 (c)(2).

This submission is my formal request for compassionate release to the Warden of FCI Pekin.

In accordance with the First Step Act, the following criteria should be considered.

- (A) Criminal Offense: In 1987, petitioner was arrested and convicted for murder in violation

of 18 USC 1111. For this offense, he was sentenced to life imprisonment. Petitioner has now been incarcerated for over 33 years. I pray that you take my time incarcerated as an exceptional circumstance.

B) Criminal History: Petitioner has no other criminal history, no detainers, and no warrants.

(c) Institutional Adjustment: Petitioner has had superior institutional adjustment, since his incarceration he has obtained his GED, and sought to rehabilitate himself. Knowing that if his sentence was ever reduced for any reason, or if it was ever overturned he would have to have the skills necessary to succeed and thrive on the outside. To acquire the necessary skills, petitioner took and completed the following classes:

1. Information processing;
2. Microsoft Office - Word;
3. Ace Computer Keyboard;
4. Stop the Violence Class;
5. Beginning Spanish;
6. Quality Control/ownership Program;

7. Soldering;
8. Pre-Solder Exploratory Class; and
9. Pre-Release Class.

Petitioner also became a GED tutor for other inmates, and has maintained employment in Unicor, where he is presently a Q.A. His last institutional infraction was over 6 years ago, and then it was only a minor infraction. In short, he has actually been a model prisoner.

(D) Personal Information: Petitioner is currently 63 years of age, has his GED, has served in the military as a supply clerk for the Air Force. His mother (Ms. Berliah Donley) is 79 years old and disabled, lives in Chicago, and need someone to help care for her as she gets older. Petitioner also has three adult children. One son and two daughters, and he has nine grandchildren. All have offered their support if I am granted release.

(E) Covid-19: As a person that is incarcerated, this petitioners age and medical conditions put him at high risk for poor outcomes or even death should he contract the virus.

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We have learned that prisons, jails and nursing homes are the places where the virus can spread the fastest because of a large amount of people living in close quarters.

Specifically to this petitioner he has several conditions that have been flagged by the CDC as putting persons at heightened risk of death should they contract Covid.

1. This petitioner is over 60 years of age. People over 60 make up over half of all Covid deaths.
2. Petitioner suffers from high blood pressure, and has been prescribed the drug Hydrochlorothiazide and also the drug Lisinopril. This condition stresses the cardio-vascular system, which is also stressed by Covid, and can lead to cardiac arrest.
3. Petitioner also suffers from chronic high cholesterol, and has been prescribe the drug Atrovastatin. This condition can cause arteries to clog up, and can also lead to cardiac arrest.

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Cost of incarceration of a federal inmate was \$36,299.25. The average cost of an inmate in a Residential Reentry Center was \$32,309.80 (See Federal Register, Vol. 83, pg. 18863).

While the Federal Register does not provide to date, the cost of home confinement, there is no question that the cost of home confinement would be substantially less than the cost of either incarceration or placement in a Reentry Center.

Additionally, the BOP will save the cost of maintaining petitioners on Chronic Care, which cost include petitioners medications, prescription glasses, ect.

(H) Letters of Support:

See attached

Prayer For Relief

In closing, I ask that you consider my age, medical condition, my 33 years incarcerated,

Petitioner prays that you will take his age and medical conditions as "exceptional circumstances" that warrant compassionate release.

(F) Inmates release Plan:

If granted compassionate release, petitioner will live with his mother (Beulah Donley), at 7208 South Union Avenue, Chicago, Illinois 60621. She will help care for her in her late years, and, through her connections she can assist petitioner with finding employment, and provide any financial assistance necessary in the time before he is employed. Petitioner's daughter has also offered assistance with computer access, financial support, and job search.

In regards to medical care, petitioner will initially sign up for the Affordable Care Act, but will buy private insurance once he begins working.

(G) Will Release Result In Cost Savings to the BOP:

For the fiscal year 2017, the average annual

my rehabilitation efforts while incarcerated, my mothers health and her need for care, and a BOP P.A.T.T.E.R.N score of "Low" risk of re-offending, and please find that together they equal compelling circumstances that warrant compassionate release.

Respectfully Submitted:

Date: 10/26/20  
Date Submitted

Malcolm C. Donley

Malcolm C. Donley  
Reg. No. 01972-050

RECEIVED

NOV - 1 2020

AT 8:30 M  
WILLIAM T. WALSH, CLERK

09/02/20

Dear Warden of Pekin  
Federal Correctional Institution  
& to the Bureau of Justice  
Compassionate Release Program

My name is Bernice Donley -  
& I have a son who is Malcolm  
C. Donley who has been incarcerated  
since 1987 for a violent crime  
of passion. I am a senior  
citizen & single parent with 79 yrs  
maturity. I have mobile disa-  
bility & other medical problems  
which requires assist like get-  
ting around and going shop-  
ping & other household needs.  
My son would be able to  
help me a great deal with  
my daily routine if he were  
here. My son and I would  
get an apartment with him  
staying with me. If can help  
(turn over)

2)

him financially and help -  
him find a job with assist  
from other family members.  
I know he has training as  
a Quality Assurance Inspector -  
in an Electronics cable factory -  
and Textiles factory. I can  
show him how to use a smart -  
phone with the assists of other  
family members. His daughter can  
help with computer access. He  
has not been home in Chicago  
in about 42 yrs & some months. He -  
has never been this close to -  
home. Being in the Military -  
serving his country which he  
volunteered at 17 yrs. Marion was -  
was in southern Illinois and  
Pekin is much closer in the  
middle of Illinois. I love my  
son and has always been a  
person who I could depend on -  
we grew strong & our relationship  
as mother and son. Pekin is -  
more northern to his home.

(turn over)

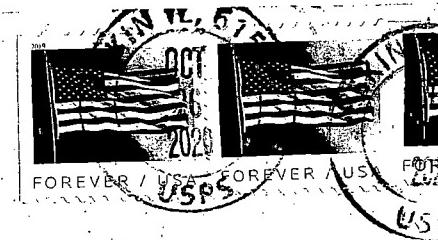
3)

His faith is strong since  
he has been regenerated -  
as mine has <sup>been</sup> and I am -  
joyous because of this we  
communicate well. I will -  
continue to pray for him  
and all who believe in  
the program and all who  
believe in the Father God  
the son Jesus and the Holy-  
Spirit (Amen).

God Bless  
all who are  
involved in this  
endeavor.

Sincerely Beulah Dorley  
P.S. Now that God and  
Savior Jesus Christ has taken  
my son to forgiveness and love  
he is a humble and repentant  
man. Please allow him to  
come home to me because I  
need him & love him.

Malcolm C. Donley  
172-050  
Federal Correctional Institution  
Box 5000  
Joliet, IL 61555  
United States



Legal Mail

RECEIVED

OCT 26 2020

FCI PEKIN  
MAIL ROOM

United States District Court  
50 Walnut Street  
Room 4015  
Newark, New Jersey 07101

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AT 8:30  
WILLIAM

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